IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 590 OF 2006

Shri Shahadu Bhaguji Valhekar.... .... Petitioner
V/s
The State of Maharashtra & Anr... ... . Respondents.

Mr.R.P.Behere, Adv. for the petitioner.

Mr.C.R.Sonawane, AGP for respondent.

Mr.V.D.Patil for Intervener- Pimpri Chinchwad New Town Development Authority.

CORAM: V.G. PALSHIKAR,

Ag.C.J.

AND

SMT.NISHITA MHATRE,

J.

7.02.2006.

PC:

By this petition the petitioner has challenged the notice issued under section 16 of the Land Acquisition Act taking possession of land acquired under award dated 31.8.1986. The contention is that the notice is void having been issued in the name of a person who is deceased. However, according to the provisions of section 16 of the Land Acquisition Act no notice is required to be issued after land is acquired by a valid award made under section 11 of the Act.

2. There is no challenge to the proceedings for acquisition of land and the ultimate award passed under section 11. Taking into consideration the fact that the land vests in the State under section 16 and that section does not contemplate the issuance of any notice for taking possession no fault can be found with the notice. It need not be gone into. Petition is thus devoid of any merits and is therefore dismissed.

7.2.2006